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Journal of the Constitutional Convention, 1965 Jan 11

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State of Rhode Island and Providence Plantations

JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

January 11, 1965

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:03 P.M.

The roll of delegates was called. There were 92 present, 8 absent. A quorum was present.

Mr. Champion, recognized on a question of personal privilege, discussed the newspaper article relative to the rules of the Convention.

The Secretary read the Journal of the previous session of the Convention. On motion of Mr. Gallogly, seconded by Mr. Cote, the Journal was approved unanimously on a voice vote.

Mr. Bizier, recognized on a question of personal privilege, discussed the newspaper article relative to the rules of the Convention.

The Chairman discussed the newspaper article.

The Chairman stated that he had extended an invitation to Mr. William H. Edwards, Chairman on the Commission on Revision of the Rhode Island Constitution, to address the Convention, and inquires if it is the desire of the Convention to hear Mr. Edwards.

Mr. Doris suggested that Mr. Edwards be invited to address the Convention by unanimous consent.

Mr. Doris suggested that the oath be administered to the delegates who had not earlier taken their oath.

The Secretary administered the oath to the following delegates:

A. Norman LaSalle of Warwick
Arthur Merolla of Providence
Domenic C. Canna of Bristol
Orist D. Chaharyn of Woonsocket

The Chairman appointed Mr. Gallogly, Mrs. Pulner and Mr. Bride as a committee to escort Mr. Edwards to the rostrum.

Mr. Edwards is escorted to the Convention. Mr. Edwards addressed the Convention. The Chairman expressed the gratitude of the Convention to Mr. Edwards.

REPORTS OF COMMITTEES

Mr. Fanning of Cumberland for the Temporary Rules Committee reported proposed "Rules for the Rhode Island Constitutional Convention," as amended with reference to Rule 36 and Rule 50.

Mr. Fanning of Cumberland seconded by Mr. Dolbashian, moved that the proposed rules be adopted as the permanent rules of the Convention.

Mr. Champion discussed specific points in the rules reported by the Committee.

Mr. Champion, seconded by Messrs. Cochran and Bizier, moved that the proposed rules reported by the Rules Committee be laid on the table for at least tow weeks.

Mr. Gallogly discussed Mr. Champion's objections to the proposed rules. Mr. Cooney, recognized on a point of order, submitted that a motion to lay on the table is not debatable.

The Chairman ruled that the point is well taken.

Mr. DiLuglio suggested that, because Mr. Champion's motion is not specific as to time, the motion to lay on the table is out of order.

Mr. Champion withdraws his motion to lay on the table.

Mr. Champion moved that the proposed rules as reported by the Rules Committee be laid on the table for one week. Mr. Cochran seconded the motion.

Mr. DiLuglio submitted that, because there are no permanent rules, the motion to lay on the table can be debated. The Chairman ruled that standard procedure provides that such a motion is not debatable.

Mr. Fanning of Cumberland explained the procedure followed by the Temporary Rules Committee. Mr. Doris discussed procedure of the Temporary Rules Committee.

Mr. Gallogly requested additional information on Mr. Champion's objections to the proposed rules.

Mr. Bevilacqua suggested that a consideration of the proposed rules be made, rule by rule,

Mr. Appolonia, seconded by Mr. Bizier, moved for a roll call vote. The motion prevailed on a voice vote.

The motion to lay the proposed rules of the Temporary Rules Committee on the table for one week failed at adoption as follows: 31 votes in the affirmative, 59 votes in the negative, 2 delegates present and not voting, and 8 delegates absent.

Messrs. Cochran and Gallogly, Mrs. Foster, Messrs. Ricci, Fanning of Cumberland, Toolin, Cooney, and LaSalle, discussed procedure for consideration of the proposed rules.

Mrs. Pulner moved that Mr. Fanning's motion for adoption of the rules be amended to a motion to consider the rules separately. Mr. Doris seconded the motion. Mr. Cooney discussed Mrs. Pulner's motion. Mrs. Pulner withdrew her motion.

Mr. Fanning of Cumberland suggested that the motion be amended to provide that the rules be read by number and delegates record their objection as each rule number is read. The rules not objected would stand and those objected would then be considered in their numerical order.

Mrs. Pulner moved that Mr. Fanning's motion be amended to read that the Secretary read the rules by number and note the objections of delegates to the specific rule and the rules objected to be considered in their numerical order following the reading. Mr. Doris seconded the motion.

The motion to amend Mr. Fanning's motion was adopted on a voice vote.

Mr. Fanning's motion as amended prevailed on a voice vote.

The Secretary read the rules by number, and objection was made to the following rules: 1, 3, 7a, 9, 9b, 9d, 12, 14, 21, 30, 31, 45, 46, 50, 54, 56, 57, 61, 62, 65 and 67.

Mr. Canna requested a recess of ten minutes.

Mr. Beauchemin moved, seconded by Mr. Murphy of Warren, that the Convention be in recess for a period of ten minutes. The motion was adopted on a voice vote.

The Convention recessed at 4:20 P.M.

RECESS

The Convention was then called to order by the Chairman at 4:41 P.M.

Mr. Wexler and Mr. Fanning of Cumberland discussed Rule 1.

Mr. LaSalle discussed Rule 3. Mr. LaSalle moved that the first sentence of Rule 3 be stricken. Mr. Beauchemin seconded the motion. Mr. Fanning of Cumberland explained the rule and on voice vote the motion to strike failed at adoption.

Mr. Fontaine discussed Rule 7a. Mr. Fanning of Cumberland explained the rule. Mr. LaSalle withdrew his objection to Rule 9.

Mr. Wexler withdrew his objection to Rule 9b.

Mr. Wexler moved that the last line of Rule 9d be amended to read "duplication and distribution to delegates and interested persons." Mr. Beauchemin seconded the motion. The motion was adopted on a voice vote.

Mr. LaSalle discussed Rule 12.

Mr. Chaharyn discussed Rule 14. Mr. Cooney explained the rule.

Mr. Cannon withdrew his objection to Rule 21.

Mr. Champion discussed Rule 30 with respect to the function of the Committee of the Whole. Messrs. Fanning of Cumberland, Gallogly, Beauchemin and Cooney, discussed the function of the Committee of the Whole. Mr. Beauchemin moved that the words "the yeas and nays shall not be called" be stricken from Rule 30. Mr. Toolin seconded the motion. Messrs. Cochran and Cooney discussed the provision. The motion to strike failed of adoption on a voice vote.

Mr. Gorham of Foster moved that Rule 31 be amended by inserting in the order of business after the item "3. Roll call." as an order of business and item "4. Reading and correcting of journal." and by renumbering the subsequent items in the order of business in consecutive sequence. Mr. Corcoran seconded the motion. The motion was adopted on a voice vote.

Messrs. Champion and Cooney discussed Rule 45.

Messrs. Beauchemin and Fanning of Cumberland discussed Rule 46.

Messrs. Ricci, Fanning of Cumberland, Cooney, Gallogly and Beauchemin discussed Rule 50. Mr. Beauchemin moved that Rule 50 be referred back to the Temporary Rules Committee for further consideration. Mr. Gallogly seconded the motion. Mrs. Pulner discussed the motion. The motion failed of adoption on a voice vote.

Mr. Champion discussed Rule 54.

Messrs. Champion, Fanning of Cumberland and Doris discussed Rule 56.

Mr. Foster, seconded by Mr. Parrillo, moved that Rule 57 be stricken from the proposed rules. Mr. Foster withdrew his motion.

Mr. DiLuglio, seconded by Mr. Chaharyn, moved that Rule 57 be stricken. Messrs. Fanning of Cumberland and Cooney discussed the rule. Mr. DiLuglio withdrew his motion.

Messrs. Champion and Fanning of Cumberland discussed Rule 61.

Messrs. Champion and Cooney discussed Rule 62.

Messrs. LaSalle and Fanning of Cumberland discussed Rule 65. Mr. Beauchemin, seconded by Mr. LaSalle, moved that Rule 65 be referred back to the Temporary Rules Committee for further consideration. The motion failed of adoption on a voice vote.

Mr. LaSalle withdrew his objection to Rule 67.

Mr. Corcoran moved that the proposed rules as amended be adopted as the rules of the Convention. Messrs. Murphy of Tiverton, Dolbashian, Cochran, Beauchemin, Chaharyn and Manning seconded the motion. The motion was adopted on a voice vote.

ORGANIZATION

The Chairman declared that the election of a First Vice-Chairman and a Second Vice-Chairman was in order.

Mr. Stapleton nominated Mr. Robert F. Pickard to be First Vice-Chairman, Mr. Greenhalgh seconded the nomination.

Mr. Gallogly nominated Mr. David D. Warren for First Vice-Chairman. Messrs. Canna, Wexler and Principe seconded the nomination.

Mr. DiLuglio, seconded by Mr. Bissonnette, moved that the nominations for First Vice-Chairman be closed. The motion was adopted on a voice vote.

Mr. Beauchemin requested a roll call vote on the election of a First Vice-Chairman.

On a roll call vote the results were as follows: Mr. Pickard, 24 votes; Mr. Warren, 58 votes; 2 delegates not voting and 16 delegates absent.

Mr. Pickard moved that the election of Mr. Warren as First Vice-Chairman be made unanimous. Mrs. LaCroix seconded the motion. The motion was adopted on a voice vote.

Mr. Warren was declared elected as First Vice-Chairman unanimously.

The election of a Second Vice-Chairman was declared to be in order.

Mr. Stapleton nominated Mr. Pickard to be Second Vice-Chairman. Messrs. Greenhalgh, Matzner, Bride, Gallogly, Corcoran, Wexler and Dolbasian seconded the nomination.

Mr. Baccari nominated Mr. Thomas R. DiLuglio to be Second Vice-Chairman. Messrs. Chaharyn, Beauchemin and Giangiacomo seconded the nomination.

Mr. Cote moved that nominations for Second Vice-Chairman be closed. Mr. Bissonnete seconded the motion. The motion was adopted on a voice vote.

On a roll call vote Mr. DiLuglio had 37 votes, Mr. Pickard 43 votes and 20 delegates were absent.

The Chairman ruled that Rule 4 provides that the Second Vice-Chairman be elected by a majority of the delegates and that Rule 66 states that a majority of the delegates shall mean at least 51 votes, and that therefore neither candidate having 51 votes neither Mr. DiLuglio nor Mr. Pickard was elected Second Vice-Chairman.

MOTIONS AND RESOLUTIONS

Mr. Cooney presented Resolution No. 1 "Resolution on the Administration of the Convention". The Resolution was read. Mr. Cooney, seconded by Mr. Bride, moved that the Resolution be adopted. The motion was adopted on a voice vote.

Mr. Bride presented Resolution No. 2 "Resolution extending an invitation to the Attorney General to address the Convention". The Resolution was read. Mr. Doris, seconded by Messrs. Cochran, Wrenn and Foster, moved that the Resolution be adopted. The motion was adopted on a voice vote.

Mr. Pickard presented Resolution No. 3 "Resolution authorizing the Chairman of the Convention to arrange for Invocations." The Resolution was read. Mr. Foster, seconded by Messrs. Beauchemin and Cote, moved that the Resolution be adopted. The motion was adopted on a voice vote.

ADJOURNMENT

Mr. Doris, seconded by Mr. Cochran, moved that the Convention adjourn until Thursday, January 14, 1965, at 2:30 P.M. in the State Auditorium in the Veterans' Memorial Building. The motion passed on a voice vote, and at 6:41 P.M. the Convention adjourned to meet on Thursday, January 14, 1965 at 2:30 P.M. in the State Auditorium, Veterans' Memorial Building.

August P. LaFrance
Secretary, Constitutional Convention